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November 22, 2010

VIA EMAIL (CrottyNYSDChambers@nysd.uscourts.gov)

Hon. Paul A. Crotty
U.S. District Judge
U.S. District Court
Southern District of New York
500 Pearl Street, Room 18C
New York, New York 10007-1312

SO ORDERED: 29 NOV 2010

Paul A. Crotty
HON. PAUL A. CROTTY
UNITED STATES DISTRICT JUDGE

Re: Abadin v. Marvel, Case No.: 09-CV-0715 (PAC) (ECF)

Dear Judge Crotty:

We represent non-party Stan Lee Media, Inc. ("SLMI" or the "Company") and write on SLMI's behalf to withdraw SLMI's previous request to serve a motion for clarification of you Honor's order, dating March 31, 2010 (the "Order"). We appeared before your Honor on November 17, 2010 at a pre-motion conference. As we stated at the beginning of the conference, SLMI requested permission to serve a motion for clarification of the Order out of an abundance of caution after parties to this action, Stan Lee and Marvel, asserted that SLMI was required to do so in order to seek relief in other related matters.

✓ Based on the colloquy at the pre-motion conference on November 17, 2010, SLMI hereby withdraws its application. We attach a letter to the Honorable Judge Robert W. Sweet informing him of this communication.

Respectfully submitted,

Raymond J. Dowd

Enclosure: Letter to Honorable Judge Sweet dated November 22, 2010

cc: Steven Shore, Esq., Counsel for Stan Lee (via EMAIL)
Ira Matetsky, Esq., Counsel for Stan Lee (via EMAIL)
David Fleischer, Esq., Counsel for Marvel Enterprises, Inc. (via EMAIL)

MEMO ENDORSED

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November 22, 2010

BY HAND

Hon. Robert W. Sweet
U.S. District Judge
U.S. District Court (SDNY)
500 Pearl Street, Room 18C
New York, New York 10007-1312

Re: *Lee v. Marvel Enterprises, Inc. et al.* ("Marvel") Case No. 02-cv-8945 (RWS)

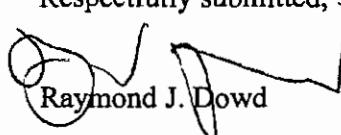
Dear Judge Sweet:

We represent Intervenor Stan Lee Media, Inc. ("SLMI") and write to respond to the letter from last Friday submitted by Mr. Fleischer, counsel for Marvel and inform you that SLMI has withdrawn its request to submit a motion before the Honorable Judge Paul A. Crotty for clarification of his order dated March 31, 2010 (the "Order"). Counsel for Stan Lee and Marvel have asserted to your Honor that SLMI must make an application before Judge Crotty in relation to the relief sought in the *Lee v. Marvel* matter at bar. SLMI disputed this assertion, but, out of an abundance of caution, sought permission from Judge Crotty to file a motion seeking clarification of the Order.

Based upon the colloquy before Judge Crotty, SLMI has withdrawn its request for permission to file a motion in *Abadin v. Marvel*. Mr. Fleischer has provided the Court with the transcript of the pre-motion conference before Judge Crotty dated November 17, 2010. We attach the letter to Judge Crotty withdrawing our application.

Accordingly, we request that SLMI's pending motions to intervene, unseal, substitute and vacate be granted for the reasons set forth in our motion papers. We are providing Judge Crotty with a copy of this letter.

Respectfully submitted,



Raymond J. Dowd

The Honorable Robert W. Sweet
November 22, 2010
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DUNNINGTON, BARTHOLOW & MILLER LLP

cc: Steven Shore, Esq., Counsel for Stan Lee (via EMAIL)
Ira Matetsky, Esq., Counsel for Stan Lee (via EMAIL)
David Fleischer, Esq., Counsel for Marvel Enterprises, Inc. (via EMAIL)